

REMARKS

Interview

Applicant requests a telephone interview, in order to review this amendment prior to the next Official Action.

Claim Objections

The claims have been amended responsive to the claim objections. New claims have been added. No new matter is presented by these amendments.

Attention is directed to the specification, in particular to the text at page 2, line 8, and the text at page 1, the last paragraph where there is disclosed that the rail system may be formed as a part of the support members (longitudinal beams). The beams and the incorporated rail system extend continuously over three successive columns.

For example, in one embodiment of the present invention illustrated by Figure 3, the carriage is supported by a lower element (13, 35) of the longitudinal beams, which lower element is free from interference with the supporting beams (3).

Rejections Under Section 103

I. Claims 13-17, 19-23, and 25-29 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Vermeer (5,655,335) in view of Davison (GB 2,341,833).

These claims have been canceled without prejudice, or made the subject matter of claims dependent from one of claim 18. Therefore, this rejection need not be further addressed.

II. Claims 13, 18, 19, 24, 25, and 30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Vermeer in view of Counts, Jr. (5,915,132).

Counts is offered as disclosing a movable lighting fixture carriage (118, Fig. 9) riding on beam sections (110, Fig. 9), each with a U-shaped crosssection and joined along the centerline by link sections, the carriage wheels (121) riding in a tray of the beams.

The rejection states that it would have been obvious to give the longitudinal beams of Vermeer a cross-section that supports carriages and a wheeled light fixture carriage therein, as taught by Counts, in order to provide plants with ample lighting, while allowing the lights to be movable and ensuring that such movement will not harm the plants.

The Examiner noted a carriage fully extending the beams was not recited. Applicant disagrees, but has amended the claims to make this more specific.

Counts does not provide any teaching of each of the two longitudinal beams, each beam comprising two longitudinal sections having a U cross-section, a carriage supported by both beams, and fully extending between both beams, the second of the longitudinal sections having an area extending in the first direction and defining a tray, the tray taking the wheels of the carriage.

Further, Applicant does not see that Vermeer in view of Counts would result in longitudinal beams comprising an integrated rail system for supporting the movable carriage, with the integrated rail system contributing structural strength, as part of the first and second longitudinal beams, supporting the roof construction.

Applicant does not see that Vermeer in view of Counts would result in the first and second longitudinal beams, including the integrated rail system, extending continuously over a distance of at least three successive columns.

Applicant does not see that Vermeer in view of Counts would result in the lower, second of the longitudinal section sections (32) comprising a support part (35) extending in the first direction, the support part (35) taking the wheels (14) of the carriage (15), the integrated rail system comprising the support part (35) taking the wheels (14) of the carriage (15).

Finally, Applicant does not see that that Vermeer in view of Counts would result in extending continuously over a distance of at least three successive columns.

If the Counts U-shaped track were added to the bottom of the Vermeer truss 14, then the carriage may only move between two adjacent vertical beams 12 since the vertical beams 12 are shown to extend to the top part of the truss 14 and would block the U-shaped track.

In contrast, in the present invention, beams 3 support the bottom element 23 of the beam and the carriage can move the entire length of the greenhouse, including over intermediate supporting beams 3.

Thus, the independent claims are non-obvious.

As to new claims, the system as proposed by the rejection would not satisfy:

the two longitudinal sections each have a U cross-section with open parts of each U cross-section facing each other, or the support part (35) comprises by an area extending in the first direction and defining a tray (35), the tray (35) taking the wheels (14) of the carriage (15), the integrated rail system comprising the tray (35) taking the wheels (14) of the carriage (15).

Thus, these features are also non-obvious.

Reconsideration and allowance of all the claims are respectfully requested.

Summary

Again, Applicant requests a telephone interview.

This response is believed to be fully responsive and to put the case in condition for allowance. Entry of the amendment, and an early and favorable action on the merits, are earnestly requested. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Should there be any matters that need to be resolved in the present application; the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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